

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

DONNELL G. HADDOCK,

Petitioner,

v.

People,

Respondent.

No. LA CV 23-09576-VBF-KES

ORDER

Dismissing Case Without Prejudice

On November 3, 2023, Mr. Haddock (“petitioner”) constructively filed the petition for a writ of habeas corpus pursuant to 28 U.S.C. section 2254, which was docketed on November 16, 2023. *See* CM/ECF Document (“Doc”) 1.

By Notice Re: Discrepancies in Filing of a Habeas Corpus Petition (Form CV-111) (“Notice”) issued November 16, 2024, the Clerk’s Office advised petitioner that he was required either to pay the case filing fee or file a Request to Proceed without Prepayment of the Case Filing fee With Declaration in Support (Form CV-60P), within thirty days. On January 8, 2024, the Notice was returned to the Clerk’s Office as undeliverable, *see* Doc 4.

By Order issued May 28, 2024, the Magistrate Judge directed the Clerk’s Office to mail the Notice Re: Discrepancies to petitioner a second time (Doc 6), but the United States Post Office returned it as undeliverable again (Doc 7).

By Order issued July 10, 2024 (Doc 8), the United States Magistrate Judge directed

1 the Clerk's Office to mail the Notice Re: Discrepancies to petitioner a third time.

2 Two months have elapsed since the Clerk's Office mailed the Notice to petitioner the
3 third time, and the Post Office has *not* returned it as undeliverable. The Court has received
4 no filings from petitioner since he filed the habeas corpus petition ten months ago

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6 **ORDER**

7 **The case is DISMISSED without prejudice for lack of prosecution, failure to**
8 **comply with court order, and failure to pay the case filing fee.**

9 IT IS SO ORDERED.

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12 Dated: September 11, 2024

Valerie Baker Fairbank

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14 Honorable Valerie Baker Fairbank
15 Senior United States District Judge
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